

REMARKS

Claims 1-10 are pending. Claim 1 has been amended, and claims 9 and 10 have been added.

Claims 1, 2, 7, and 8 stand rejected under 35 U.S.C. § 102(b) for anticipation by U.S. Patent No. 6,367,839 to Langhoff ("Langhoff"); claims 3-5 stand rejected under 35 U.S.C. § 103(a) for obviousness over a combination of Langhoff and U.S. Patent No. 4,050,106 to Wolfe ("Wolfe"); and claim 6 stands rejected for obviousness over a combination of Langhoff, Wolfe, and U.S. Patent No. 2,131,211 to Bechik ("Bechik").

Claims 1, 7, and 8 also stand rejected for obviousness over a combination of U.S. Patents No. 5,536,042 to Williams et al. ("Williams '042") and No. 5,248,187 to Harrison ("Harrison"). Claim 2 also stands rejected for obviousness over a combination of Williams '042, Harrison, and U.S. Patent No. 5,379,879 to Williams et al. ("Williams '879"). Claim 3 also stands rejected for obviousness over a combination of Williams '042, Harrison, Williams '879, and Wolfe. Claim 6 also stands rejected for obviousness over a combination of Williams '042, Harrison, Wolfe, and Bechik.

It is respectfully requested that these rejections be reconsidered and withdrawn at least because none of Langhoff, Williams '042, the other cited patents, and their combinations discloses or would have suggested all of the features recited in the claims.

As amended, claim 1 defines a restraint system that includes "a cushioned restraint attached to at least two straps, each strap being also attached to the compartment, wherein in a first position, the cushioned restraint forms a visually integral portion of an interior surface of the compartment with the straps hidden from view behind the cushioned restraint". As described on page 4 of this application, the restraint system is integrated into the interior trim of a wall in a vehicle, with the restraint system being conveniently and unobtrusively stored when the system is not in use. The visual integration arises in part by hiding the straps completely or at least substantially completely from view when the cushioned restraint is in the stored position as seen in FIG. 1B. This has been clarified in claim 1.

Moreover as described on page 6 of this application, the cushioned restraint is preferably shaped as a padded interior trim panel or bolster that, at least in the stored

position, is a visually integral component of the interior trim of the compartment. In many compartments, interior trim panels are attached to vertical elements that are in turn attached to the walls. Thus, a pocket can exist between the trim panel and the wall within which the straps can be manually placed when the restraint is in the stored position. New claims 9 and 10 relate to these particular features.

With regard to the anticipation rejections, Langhoff describes a restraint system that includes at least two flexible straps having one end attached to a selected one of the vehicle or the bunk, and a second end, as described in the application on page 2. At least one energy absorbent pad is attached to the straps in a position relative to the bunk for providing restraint and secondary collision protection. When not in use, the restraint system is conveniently stored so as to provide minimal impact on cab space.

The Action asserts that Langhoff discloses a cushioned restraint that is visually integrated, but Langhoff does not. The restraint described in Langhoff does not visually integrate at least because the straps are visible in the stored position. Moreover with respect to the new claims, Langhoff does not teach that the cushioned restraint is shaped as a padded trim panel or bolster that, in the first position, forms a visually integral portion of an interior surface of the compartment or that the straps are retained in a pocket between the cushioned restraint in the first position and the compartment.

As for the obviousness rejections based on Langhoff and Wolfe and Bechik, claim 3 and its dependent claims provide that, in the first position, the cushioned restraint is retained in a recess in the interior surface of the compartment. Wolfe says nothing about restraint systems and compartments, but instead describes merely a bed in a dwelling that stores away. See Wolfe, e.g., col. 2, ll. 12-17. Thus, all that Wolfe would have suggested is a bed that stores away in a house. Wolfe would not have suggested the claimed cushioned restraint and straps that retract to form a visually integral portion of a compartment. When retracted, the claimed cushioned restraint is still useful, a feature not available in the Wolfe bed. And of course, Wolfe says nothing about the claimed features that are missing from Langhoff as described above. Similarly, Bechik's mattress handle does not supply any of the features missing from Langhoff and Wolfe.

Turning to the rejections over combinations of Williams '042 and Harrison, it is first noteworthy that Williams '042 describes a vehicle bunk and restraint system (see, e.g., Fig. 1), but does not describe a restraint system that includes "a cushioned restraint attached to at least two straps, each strap being also attached to the compartment, wherein in a first position, the cushioned restraint forms a visually integral portion of an interior surface of the compartment with the straps hidden from view behind the cushioned restraint" as required by claim 1, as amended. In listing the features of Williams '042 on pages 5-6, the Action does not recognize these claimed features. Indeed, all that William '042 discloses is a net mounted to a compartment's back wall. See col. 1, ll. 19-21, and the discussion of Williams '879 below. Moreover, Williams '042 does not describe shaping the cushioned restraint as a padded interior trim panel or bolster or retaining straps within a pocket between the cushioned restraint and the compartment as required by new claims 9 and 10.

Harrison, which the Action cites for reasons other than the "visually integral" feature of claim 1, also says nothing about a cushioned restraint that forms a visually integral portion of an interior surface of the compartment with the straps hidden from view behind the cushioned restraint. This is not surprising because Harrison discloses merely a seat belt extension apparatus and is utterly silent on restraint systems such as those claimed.

Williams '879, Wolfe, and Bechik also say nothing about a cushioned restraint that forms a visually integral portion of an interior surface of the compartment with the straps hidden from view behind the cushioned restraint. Fig. 2 of Williams '879 shows the Williams '879 system in the stored position, and it is apparent that the Williams '879 system is not "visually integral". The differences between the claims and Wolfe and Bechik have been described above, and thus they need not be repeated here.

In view of the preceding remarks, it is respectfully submitted that none of the cited patents either anticipate or render obvious any of the claims, as amended or added. Accordingly, it is respectfully requested that the rejections of claims 1-8 be reconsidered and withdrawn and that claims 1-10 be allowed.

It is believed that this application is in condition for allowance, and an early Notice of same is respectfully solicited. If the Examiner has any questions, the undersigned attorney may be telephoned at the number given below.

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